

# National Archives at College Park



8601 Adelphi Road College Park, Maryland 20740-6001

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## MEMORANDUM TO AGENCY RECORDS OFFICERS AND DECLASSIFICATION PERSONNEL:

### Guidance for handling permanent records during declassification review

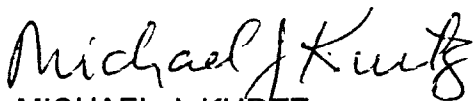
This memorandum provides recommended procedures for handling permanent records during declassification review under the provisions of Executive Order 12958. The automatic declassification provisions of the Executive Order apply only to permanent records designated for transfer to the National Archives of the United States in NARA-approved records schedules. Implementation of this guidance will preserve the integrity of the files and enable Office of the National Archives (NN) personnel to accurately determine the results of agency review actions after the records have been accessioned into the National Archives of the United States so that NARA may promptly make declassified records available to the public and avoid erroneous release and improper storage of documents that are still security sensitive. The attachments to this memorandum specify steps that agencies should take to identify sensitive items and provide other necessary information on permanent records.

Permanent records include records already accessioned by NARA, as well as records still in agency space or a Federal records center that are designated permanent in a NARA-approved records schedule. These records may not be destroyed. The provisions of Executive Order 12958 do not apply to series not covered by a NARA-approved records disposition schedule (unscheduled records). However, agencies may not destroy unscheduled records until NARA has approved their disposal.

Agency records officers will identify the permanent series of records for agency personnel performing declassification review and convey proper procedures for handling the permanent records during declassification review. Agency records officers are responsible for providing supplementary information on security classified records when transferring such records to the National Archives.

Agency personnel involved in declassifying records should work closely with the agency's records officer. Questions concerning records disposition issues may be directed to the agency records officer or to the NARA appraisal archivist specified in Attachment D. If agency personnel have questions about retirement of classified

records to Federal records centers, they should contact the center to which the records will be sent. For more information concerning the physical transfer of permanent records to the National Archives of the United States, questions should be directed to the appropriate NARA unit listed in Attachment E. NARA Records Declassification Division staff are pleased to assist agencies with declassification issues. That unit may be reached at 301-713-6600.



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Assistant Archivist  
for the National Archives

Attachments

## **ATTACHMENT A**

### **GUIDANCE FOR AGENCY DECLASSIFICATION REVIEWERS**

#### **Declassification Review of Records in Agency Custody**

When reviewing for declassification permanent records in agency custody, reviewers should take certain actions to preserve the integrity of the files and to enable accurate determination of the results of agency review actions. Two points are especially important to keep in mind. First, copies, even identical copies, of records in different files are all records and must be retained. Only exact duplicates within a single file may be discarded. Second, an agency's records include documentary material received in the course of official business from other Federal agencies and from non-Federal entities, as well as documents created by agency personnel. Documents in a series designated as permanent may not be destroyed regardless of agency of origin. Agencies should take the following steps when reviewing those records, either in a Federal Records Center or in agency space, which will be sent to the Office of the National Archives or a regional archives following declassification review. These steps should also be followed when reviewing records that will be sent to a Federal Records Center following review.

1. Do not remove or destroy any documents from permanently valuable records series in the course of declassification review.

Once a file series has been determined to be permanent do not make decisions as to whether individual documents are permanent. The one exception is exact duplicate copies of a document filed in the same place. Only one copy need be kept. Copies of a document in separate files, however, should all be retained.

2. Do not remove still sensitive documents from their place in the files.

Office of the National Archives staff will withdraw any documents that are still classified after the records are transferred to the National Archives. Those documents will be stored separately. The appropriate tracking records will be created to ensure that the documents will be returned to their original locations when they are eventually declassified. If working directly with the original records, do not mark portions to be deleted on the original document. Indicate the deletions to be made on a copy and place the copy with the original.

3. Identify every document in the file that agency reviewers cannot declassify (see paragraph 4).

Include those documents to be withheld because they were originated by or

contain the equities of other agencies as well as any documents to be withheld by your agency. If documents are withheld because of other agency equities, indicate whether those equities have been coordinated with the appropriate agencies or if the agencies have been informed when records containing their equities are going to be transferred to the National Archives of the United States.

4. Tab all documents to be withheld in such a way that the documents are readily identifiable when the box is opened.

Do not depend solely on document stamps to identify withheld items. Stamps can be overlooked or misread in the course of processing large volumes of records. Office of the National Archives (NN) staff cannot look closely at every page to determine what the agency action is. NN staff members tab documents using a long narrow strip of paper folded around the document. The tab should be readily visible when the box is opened. If practical, a list of the still sensitive items should be placed in each box.

5. If the agency chooses to review for all FOIA exemptions, indicate on the tabs whether the documents are being withheld for national security or another FOIA exemption.

Once the records are transferred to the National Archives of the United States, NARA, as the legal custodian of the records, is responsible for applying FOIA exemptions. On 25-30 year old accessioned records, NARA generally applies only the b3 (other statutes), b6 (privacy), and b7 (law enforcement) exemptions if the records are not security classified.

If working directly with the original records, do not mark portions to be deleted on the original document. Indicate the deletions to be made on a copy and place the copy with the original.

6. Clearly label or stamp reviewed boxes in a readily visible location.

Labels or stamps should indicate if the box is fully declassified (including all other agencies' interests), fully declassified only for the originating agency's interests, or partially declassified. A sample label is displayed in Attachment B.

7. Inform any other agency having equities in the records that they need to act on those equities.

If you transfer to the National Archives of the United States records which include documents that still require review by other agencies, you must inform

the agencies of the existence of those equities and that the records have been transferred. Because of volume of records transferred, NN staff will not be able to immediately process all records reviewed by the agencies or to notify the other agencies on your behalf. NN will make the records available to personnel from those agencies for their review, but will not track whether other agencies have responded to your notification. The notification should include statement that the records will be automatically declassified if the agencies fail to act by April 2000.

8. Complete a form (Attachment C) providing summary information on the status of declassification review and include it with the transfer of the records to the National Archives of the United States.

Please answer all questions and put a copy in the first box of the series. A copy should also be attached to the SF 258 which transfers the records. Failure to answer the questions could result in automatic declassification of unreviewed records or inadvertent release of still sensitive records.

### **Declassification Review of Records Transferred to the National Archives**

1. All reviewers must agree to follow proper archival handling procedures.

All new reviewers will be given an orientation that will include instruction on the proper procedures for handling archival records.

2. An Office of the National Archives (NN) staff person will be assigned as your liaison while at NARA.

The NN staff member will help you find records, answer questions about archival procedures or resolve any problems you have.

3. Do not remove any documents, including duplicates, from the files.

These records have all been determined to be permanently valuable. Although you may feel that individual items are not important enough to warrant preservation, do not attempt to "weed" the files. If you feel that an entire series of records is not truly permanently valuable, inform the NN staff liaison, and we will arrange for a reappraisal of the series.

4. Do not rearrange documents within folders or folders within boxes. Leave items that are not to be declassified in place in the files.

Tab still classified items by placing a long narrow strip of paper folded around the document. The tab should be readily visible when the box is opened. NN staff will provide the tabbing strips to you. If the files are obviously disarranged, bring them to the attention of your NN liaison.

5. It is not necessary to review records for FOIA exemptions other than national security.

As the legal custodian of the records, NARA is responsible for applying any FOIA exemptions other than the one for national security. If you notice any file series which has a significant amount of material that you feel should be withheld under another FOIA exemption, you may notify your liaison. We will consider your recommendation, but a NARA staff member will make the final decision whether or not to withhold the material. On 25-30 year old records NARA will generally only apply b3 (other statutes), b6 (privacy) or b7 (law enforcement) exemptions.

6. NARA will arrange for withdrawal of still classified items and labeling of boxes after your review is complete.

7. You are responsible for informing any other agency having equities in the records that they need to act on those equities.

If you do not inform other agencies of their equities, sensitive information may be automatically declassified. Because NARA will not immediately process agency reviewed records for release, we cannot make the notification on your behalf.

**ATTACHMENT B**

<b>DECLASSIFIED</b>	
Authority: _____	
<b>Originating Agency Interests:</b>	
<input type="checkbox"/>	Declassified in Full
<input type="checkbox"/>	Declassified in Part
<b>Other Agency Interests Declassified?</b>	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

## ATTACHMENT C

### SUPPLEMENTARY INFORMATION FOR SECURITY CLASSIFIED RECORDS

To Be attached to SF 258

1. Have these records been reviewed for declassification  
Yes \_\_\_\_\_ No \_\_\_\_\_
2. Have any documents been exempted from declassification  
Yes \_\_\_\_\_ No \_\_\_\_\_
3. Are exempt documents tabbed or otherwise clearly identifiable on opening the box(es)  
Yes \_\_\_\_\_ No \_\_\_\_\_
4. Have documents which are exempt because of other agency equities been coordinated with those agencies  
Yes \_\_\_\_\_ No \_\_\_\_\_
5. If the answer to #4 is no, have the other agencies been informed of their equities in these records and that the records are being offered to the National Archives  
Yes \_\_\_\_\_ No \_\_\_\_\_
6. Point of contact for questions concerning declassification actions  
Name:  
  
Office:  
  
Phone Number:

This information is required so that the National Archives can appropriately protect information that is exempt from declassification after 25 years under the provisions of E.O. 12958. Failure to provide this information may result in automatic declassification or inadvertent release of still sensitive information.